

Mr. A. M. Muthunayagom Pillai then proposed that the Bill be referred to a Select Committee consisting of Messrs. A. Sri Narayanan Thampi, N. Subramania Iyer and the Mover, to report within two months.

The motion was put and agreed to.

THE COURT FEES BILL.

Mr. A. M. Muthunayagom Pillai.—Sir, on a perusal of the Bill already published, it will be seen that a few important amendments are proposed to be made in the existing provisions of Regulation I of 1062. They relate chiefly to the following matters:—

(1) The levy of fees on documents received in or furnished from, any public office.

(2) The mode of levying fees in suits for establishment of the right of an assignee of land revenue and in suits in which defendants plead a set-off.

(3) The levy of fees on memoranda of appeal against orders relating to compensation in land-acquisition cases.

(4) A new para is added to Section 8 of the existing Regulation whereby, if, in suits for partition or accounts, the Court gives a decree for recovery of property, the court fee on the relief granted is to be paid before execution; a para is also added whereby, if, in suits for recovery of immovable property, the Court decrees that the plaintiff ought to pay further charges (not admitted in the plaint) or value of improvements, court fee on the further amount decreed should be paid before execution.

(5) The refund of court fees to parties in two cases is added to the present Section 10 of Regulation I of 1062.

(6) To the existing list of exemptions from court fees, eight additions have been made.

(7) The levy of fees in stamps, instead of in cash, is regulated by a new Chapter.

(8) The Sirkar is given the right to realise excess fees ordered by Courts, as if the order was a decree in its favor.

From the above statement of amendments embodied in the Bill, it will be seen that some of the provisions impose an additional burden on the litigant public, while some others go to reduce it, and the rest simply relate to purely administrative matters. The reason for these changes is set out in the Statement of Objects and Reasons already in your hands. I beg to commend the Court Fees Bill for the consideration of the Council.

Seconded by Mr. A. Sri Narayanan Thampi.

Mr. K. K. Kuruvila.—This is a fiscal measure and I do not wish to obstruct the policy of the Administration in this direction. But under Section 13, there are 15 classes of documents exempted from payment of fee. I would suggest for the consideration of the Select Committee that one more class be added *viz.*, petitions purporting to be for the benefit of the Administration. Several incidents injurious to Government interests may be exposed, either from envy or ill-will to the wrongdoers or from sympathy towards Government. It may be advisable to encourage the supply of information on such subjects, action upon them being left entirely to the discretion of the authorities to whom the petitions may be addressed.

The Council then affirmed the principle of the Bill, and Mr. A. M. Muthunayagom Pillai proposed that the Bill be referred to a Select Committee consisting of Messrs. S. Subramania Iyer, S. Sankara Pillai and the Mover, to report within two months.

The motion was put and agreed to.